

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BERNADETTE BRACKEN,

Plaintiff,

-v-

No. 16-CV-9488-LTS-KHP

CAROLYN COLVIN, ACTING
COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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ORDER

Plaintiff Bernadette Mary Bracken (“Plaintiff”) brings this action pursuant to 42 U.S.C. § 405(g) seeking review of a final decision of the Commissioner of the Social Security Administration (the “Commissioner”) denying her application for Social Security disability insurance benefits. (See docket entry no. 1.) Plaintiff subsequently moved for summary judgment pursuant to Federal Rule of Civil Procedure 56(a), and Defendant moved for judgment on the pleadings pursuant to Federal Rule of Civil Procedure 12(c). (Docket entry nos. 11, 16.) On September 19, 2017, Magistrate Judge Katharine H. Parker issued a Report and Recommendation (the “Report”) recommending that Plaintiff’s motion be denied and Defendant’s motion be granted. No objections to the Report have been filed by either party.

When reviewing a report and recommendation, the Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C.S. § 636(b)(1) (C) (LexisNexis 2016). “To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself

that there is no clear error on the face of the record.” Wilds v. United Parcel Service, Inc., 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003) (internal citations and quotation marks omitted).

Having reviewed Magistrate Judge Parker’s thorough and well-reasoned Report, to which no objection has been made, the Court finds no clear error. Therefore, the Court adopts the Report in its entirety. Accordingly, the Court denies Plaintiff’s motion for summary judgment and grants Defendant’s motion for judgment on the pleadings. The Clerk of Court is respectfully requested to enter judgment in favor of Defendant and to close this case. This Order resolves docket entry nos. 11 and 16.

SO ORDERED.

Dated: New York, New York
December 4, 2017

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge